

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

FRANKIE ROSALES NEVAREZ,

Plaintiff,

vs.

No. CIV 15-0020-LAM

**CAROLYN W. COLVIN,
Acting Commissioner of
Social Security,**

Defendant.

**ORDER GRANTING DEFENDANT'S
UNOPPOSED MOTION FOR REMAND**

THIS MATTER is before the Court on *Defendant's Unopposed Motion for Remand* (Doc. 25), filed December 16, 2015. Having considered the motion, the Court finds that it is well-taken and shall be **GRANTED**.

IT IS THEREFORE ORDERED that *Defendant's Unopposed Motion for Remand* (Doc. 25) is **GRANTED** and the Court hereby **REVERSES** the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** to the Commissioner for further administrative proceedings as set forth below.

IT IS FURTHER ORDERED that, upon remand, the Social Security Administration's Appeals Council shall vacate the Administrative Law Judge's (ALJ's) decision and remand this matter for further development and a new decision. In particular, the Appeals Council will direct the ALJ to further evaluate Plaintiff's maximum residual functional capacity (RFC), and in so doing, further evaluate the medical and other opinions of record, including the opinion of Louis Wynne, Ph.D., explaining the reasons for the weight given to these opinions. In addition,

if warranted by the expanded record, the ALJ will obtain supplemental evidence from a vocational expert at step five of the sequential evaluation process.

IT IS SO ORDERED.


LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE

SUBMITTED AND APPROVED BY: *(Prior to modification by the Court)*

Electronically submitted 12/16/15

MANUEL LUCERO

Assistant United States Attorney

Approved 12/16/15

MICHAEL ARMSTRONG

Attorney for Plaintiff